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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/801,688

03/17/2004

Szu-Han Li

26062

1891

20529

7590

02/08/2006

NATH & ASSOCIATES

112 South West Street

Alexandria, VA 22314

EXAMINER

DI GRAZIO, JEANNE A

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/801,688

Applicant(s)

LI ET AL.

Examiner

Jeanne A. Di Grazio

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims

Claims 1-9 are pending. No claims have been amended per Amendment of November 22, 2005.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent 6,762,807 B2 (to Lee et al.).

As to claim 1, Lee Figure 3 shows a side fixing frame comprising a frame body (receptacle modules 410 and 420) and a pair of extended parts forming a U-shaped configuration (See Figure 3) wherein said frame body (receptacle modules 410 and 420) and each of said extended parts are respectively provided with at least one engaging element (412, 422, engaging recesses 414, 416, 424 and 426) for coupling with a corresponding counterpart (engaging screws 451, 454, 453, and 456 ; engaging holes 432, 434, 442 and 444) of a supporting frame (first and second receptacles 430 and 440) used in the liquid crystal display device (Figure 3) to fasten said side fixing frame (410 and 420) with said supporting frame (430 and 440).

Thus, claim 1 is rejected.

As to claim 2, the lengths of the pair of extended parts are equal to each other (See Figure 3).

Thus, claim 2 is rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent 6,762,807 B2 (to Lee et al.).

As to claims 3-9, Lee does not appear to explicitly specify that the lengths of the extended parts are unequal or the various shapes and sizes of the engaging elements.

However, it has been held that changes in size and shape have been held to be not patentably distinguishable over the prior art and obvious in view of the prior art. See MPEP 2144.04.

Thus, claims 3-9 are rejected.

Response to Arguments

Applicant's arguments filed November 22, 2005 have been fully considered but they are not persuasive.

Applicant presents two arguments:

(1) Applicant argues that “the engaging recesses 414, 416, 424, 426 provided with the extended parts of Lee et al. are not substantially engaging elements.” (Remarks at page 3) and “Applicants emphasize that the engaging recesses 414, 416, 424, 426 are not substantially engaging elements.” (Id.).

(1) The Examiner notes that the word ‘substantially’ means largely but not wholly that which is specified. If the recesses of Lee et al. are engaging, then they are at least somewhat (substantially) engaging elements.

(2) Applicant argues that there is “no motivation or suggestion that Lee et al. suggests the claimed invention.” (Remarks at page 5).

(2) The Examiner notes that it has been held that changes in size and shape have been held to be not patentably distinguishable over the prior art and obvious in view of the prior art as previously noted. See MPEP 2144.04 (Heading: CHANGES IN SIZE, SHAPE, OR SEQUENCE OF ADDING INGREDIENTS.)

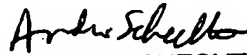
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanne A. Di Grazio whose telephone number is (571)272-2289. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeanne Andrea Di Grazio
Patent Examiner
Art Unit 2871

JDG


ANDREW SCHECHTER
PRIMARY EXAMINER